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People's World

BOOKS

Nov. 22, 1963--the legacies increase from the legend to doubt to tragedy

RUSH TO JUDGMENT. By Mark Lane. New York. Holt, Rinehart & Winston. $5.95.
INQUEST. By Edward J. Epstein. New York. Bantam Books. 95 cents (paperback).
WHITEWASH. By Harold Weisberg. Published by the author. Hyattstown, Md. $4.95.

THREE YEARS have passed since almost the whole nation, in the semi-darkened privacy of its homes, with the glow of television screens serving as candlelight, held history's most gigantic wake for a young Irish-American named John Fitzgerald Kennedy.

Three legacies of that time have grown with the years: the Kennedy legend, the abiding skepticism about the official version of what then transpired, and a conviction that in history's judgment the greatest tragedy to emerge from the dark and bloody events in Dallas, Texas, on Nov. 22, 1963 might well be the elevation of Lyndon Baines Johnson to the presidency.

Considering that the assassin's bullets dropped the presidency, like a dead game bird, at his feet, Johnson ought to treat the matter with more delicacy than he displayed at his press conference on Nov. 4. He ought not to say something so preposterous as "I know of no evidence that would in any way cause any reasonable person to have a doubt about the Warren Commission . . ."

Millions of reasonable persons do have doubt — based on evidence — and among these millions are many (too many to list) whose social status certifies them as reasonable even by Establishment standards. Indeed, in some Western European countries doubt about the Warren Commission's report on the Kennedy assassination is regarded as an indispensable attribute of the reasonable man.

JOHNSON WAS no more delicate in his direct response to the reporter's question about the mystery that has shrouded the post-assassination autopsy X-rays and photographs and the refusal even now to permit "competent non-government investigators" to inspect them at the National Archives.

Johnson retorted, ". . . we wouldn't want to have the garments and the records and everything paraded out in every sewing circle in the country to be exploited and used without serving any good or official purpose."

A curious thing about the statement is the President's use of "we" . . . "we wouldn't want . . ." According to prior explanations the handling of the X-rays was dictated by the Kennedy family's scruples about taste — its taste.

But now the President speaks of "we." Whatever else he might be, he is not a member of the Kennedy family. Is it a royal we then? It would appear so from the slighting remark about "every sewing circle" and the clear implication that "we" (government bureaucracy or Johnson personally) will decide what the citizens may or may not know about the assassination of their President.

THIS POSES a fundamental issue of public policy. Are vital facts to be fed to the governed only when it serves the "good or official purpose" of the governors? Is this not elevating "managed news" to an all-embracing principle?

This is, of course, the curse of the Warren Commission, for the evidence is persuasive that it was guided not by a consuming interest to ascertain the truth but by the desire to serve "good or official purpose."

Of the three books that have done most to raise and re-

inforce doubt about the Warren Commission's labors Edward Jay Epstein's "Inquest" focuses directly on the commission's methodology, on its internal operation. The other two volumes are more concerned with the results — and contradictions.

Mark Lane, the New York attorney who was the first seriously to challenge the official version of what happened in Dallas, presents what is, in effect, a reasoned defense argument for Lee Harvey Oswald against the indictment, prosecution brief and guilty verdict of the Warren Commission, which found that Oswald single-handed killed the late President and Officer J. D. Tippit of the Dallas police force.

Harold Weisberg, as the title of his book suggests, employs the more traditional form of the expose to assemble much of the same material that Lane presents.

JOHNSON notwithstanding, most reasonable people who read the three books, or any one of them, will have doubts about the Warren Commission.

Lane and Weisberg painstakingly document inconsistencies, discrepancies, lapses, contradictions, implausibilities, and, perhaps, impossibilities in the commission's report. They demonstrate that the commission was guided by a fixed determination to confirm the prior verdict rendered by the FBI that Oswald, and Oswald alone, killed the President.

The intriguing question is why. Perhaps a clue is afforded by the very first commission meeting that was concerned with a substantive question rather than with organizational and procedural matters that had occupied the commissioners until that time.

A report reached the commission that Oswald had been a paid informant for the FBI. J. Lee Rankin, the commission's general counsel and executive director, placed the issue before the meeting of Jan. 27, 1964, in these terms:

"We do have a dirty rumor that is very bad for the commission, the problem, and it is very damaging to the agencies that are involved in it and it must be wiped out insofar as it is possible to do so by this commission."

The commission did not know whether the report was true or false. But Rankin branded it a "dirty rumor" and the problem for him was not to ascertain its truth or falsity, but to wipe it out lest it do damage to the FBI.

IN THEORY the commission agreed to request an affidavit from FBI Director J. Edgar Hoover — and to conduct an independent investigation. In practice it settled for FBI denials that Oswald was on the FBI payroll. There was no independent investigation despite the likelihood that Hoover would not admit the alleged assassin had served the FBI even if it were true.

It is Epstein's thesis that the incident was symptomatic of a more profound choice the commission made as to its purpose. It could either pursue the truth regardless of consequence, or it could constrain itself to dispel "damaging rumors" and to serve the "national interest" regardless of truth. The commission chose the latter course. Unfortunately, in the given context, the FBI and national interest become intertwined.

The commission was appointed by President Johnson on Nov. 29, a week after the assassination. It held its first meeting on Dec. 5. On Dec. 9, before it assembled a staff or began its work, the commission was handed a report from the FBI (the essence of which was leaked to the press) that concluded: ". . . evidence developed in the investigation points conclusively to the assassination of President Kennedy by Lee Harvey Oswald, avowed Marxist, a former defector to the Soviet Union and the self-appointed Secretary of the New Orleans Chapter of the Fair Play for Cuba Committee, a pro-Castro organization."

TO ARRIVE at a different conclusion the commission would have had to come into head-on collision with the FBI. Even pursuit of the possibility of an alternative would have, objectively, questioned the infallibility or integrity of the FBI and its director.

Nothing in the record suggests that the commission had either the will or the courage for such an enterprise. Indeed, when it abjectly permitted the FBI to investigate itself, so to speak, and to absolve itself of any connection with Oswald, the commission surrendered its independence vis a vis the FBI.

On the operational level the surrender was complete. Since the commission had no investigative apparatus of its own it relied primarily upon the FBI. The commission's inquiry became, in fact, an FBI investigation to confirm a conclusion reached by the FBI before the inquiry began.

This may have been inconsistent with the quest for truth (unless one regards the FBI as the ultimate repository of truth), but it was wholly consistent with a prime commission purpose. As Senator John Sherman Cooper, a commission member, phrased it this purpose was "to lift the cloud of doubts that had been cast over American institutions."

Which institutions? No institution was more deeply involved than the FBI and none is more sacrosanct. And if the commission proceeded from the assumption that its mission was to dispel the cloud over the FBI, where was the motivation to ascertain whether there might not be something to the cloud?

SUCH QUESTIONS are the more relevant because of several intriguing tidbits in the report that suggest Oswald's relationship with the FBI was not as casual or innocent as it claims.

Nothing conclusive, of course. The FBI is not as clumsy as all that. Possibly further inquiry would, in fact, confirm the innocence of the relationship — but there was no further inquiry except for self-serving FBI statements, including at least one brazen falsehood to the effect that "it has never been (FBI) policy to inform employers that they have Communists or suspected Communists working for them . . ."

All this is especially pertinent now because there is a growing popular demand — fed by doubt — for another investigation of the Kennedy assassination. The essential failure of the Warren Commission is that it did not truly probe beyond the limits staked out by the FBI. What are the prospects for an investigation that will dare to go where the Warren Commission did not?

Involved in the question is not only the issue of the full truth about the Kennedy assassination, as supremely important as that is, but the place of the FBI among "American institutions."

—AL RICHMOND

FROM THE OATH OF OFFICE TO THE ROYAL WE

"We wouldn't want to have everything . . . paraded out in every sewing circle in the country."